

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL D. CAREY,

Plaintiff,

v.

S. GUTIERREZ,

Defendant.

No. 2:24-cv-2035 CSK P

ORDER AND FINDINGS &
RECOMMENDATIONS

By order filed August 27, 2024, plaintiff's amended complaint was dismissed, and thirty days leave to file an amended complaint was granted. Thirty days from that date have now passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court's order.

In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

IT IS RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned

1 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that
2 failure to file objections within the specified time may waive the right to appeal the District
3 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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5 Dated: October 9, 2024

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7 CHI SOO KIM
8 UNITED STATES MAGISTRATE JUDGE

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